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March 22, 2002

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
236 Massachusetts Avenue N.E., Suite 110
Washington DC 20002

BY HAND DELIVERY

Re: Notice of *Ex Parte* Presentation by the LSGAC in WT Docket 99-217/*Ex Parte* Notification, GN Docket No. 00-185 – Inquiry Concerning High-Speed Access to the Internet Over Cable and Other Facilities

Dear Mr. Caton:

On March 21, 2002, the Honorable Marilyn Praisner, Vice Chair of the Federal Communications Commission's Local State Government Advisory Committee lead a primer on rights-of-way management for FCC staff. A list of the presenters, copies of their presentations and other handouts from the program are attached.

Pursuant to Section 1.1206(b) of the Commission's rules, an original and one copy of this letter are being submitted to the Secretary's office for the above-captioned docket. Should there be any questions regarding this filing, please contact the undersigned.

Respectfully submitted,

Gerard L. Lederer

Attachment

No. of Copies rec'd 0+1
List A B C D E

AMERICAN PUBLIC WORKS ASSOCIATION
1401 K Street, NW 11th Floor, Washington, DC 20005 Tel: (202) 408-9541 Fax: (202) 408-9542

APWA Policy Statement

UNIFORM TEMPORARY MARKING OF UNDERGROUND FACILITIES AND EXCAVATION AND CONSTRUCTION SURVEYS

Approved by the Government Affairs Committee September 11, 2000
Adopted by APWA Board of Directors on September 15, 2000

The APWA, through its Utility Location Coordination Council (ULCC), has developed and published guidelines for temporary marking of underground facilities which include a Uniform Color Code in order to minimize damages during excavation and similar operations in which the earth or the earth's surface is moved, removed, or displaced. The Uniform Color Code enables excavators, line owners and surveyors to recognize the intent of paint, flags, stakes and other temporary marking, including markings that identify the location of subsurface utilities, lines and similar facilities, markings that identify the proposed excavation and survey markings which are inherent to construction sites.

The APWA encourages public agencies, utilities, contractors, surveyors, other associations and all others involved in construction or maintenance excavation or surveying of any kind to recognize and adopt the ULCC "Guidelines for Uniform Temporary Marking of Underground Facilities" utilizing the ULCC Uniform Color Code and the safety colors in the American National Standards Institute Standard Z53.1 as follows: Red - Electric power lines, cables and conduit systems and lighting cables; Yellow - Gas, oil, steam, petroleum, gaseous or dangerous materials; Orange - Communications, cable television, alarm or signal lines, cables or conduit systems; Blue - Water, irrigation and slurry lines; Green - Sewer and drain lines; White - Route of proposed subsurface line or location of proposed excavation. The Uniform Color Code also includes fluorescent pink for temporary construction project site survey markings or to make survey monuments temporarily more visible.

Providers in the Public Rights-of-Way: A Primer for the FCC Staff Leadership

Presented by

LSGAC

March 21, 2002
2 - 4 pm

7th floor, South Conference Room, (7-B516)

AMERICAN PUBLIC WORKS ASSOCIATION
1401 K Street, NW 11th Floor, Washington, DC 20005 Tel: (202) 408-9541 Fax: (202) 408-9542

APWA Policy Statement

PERMANENT BURIED LINE MARKING

Approved by the Government Affairs Committee September 11, 2000
Adopted by APWA Board of Directors on September 15, 2000

The APWA, through its Utility Location and Coordination Council (ULCC), has developed a uniform color code for temporarily marking underground utility lines to enhance worker safety and minimize damage during excavation. Excavators now generally recognize the uniform colors and their value in identifying the nature of subsurface utilities present on job sites. Worker injury or fatality and damage to utility and similar lines can be further minimized if permanent above-ground signs and vents that identify and warn of important underground lines were color coded. Furthermore, the outside covering of some underground utility and similar lines can and have been colored, and recognition of buried utilities exposed during excavation could be greatly enhanced if their outside covering was permanently color coded.

The APWA urges that the predominant color of all new and replacement permanent underground utility line marker signs, sign posts, and buried line vents be in accordance with the ULCC Uniform Color Code. The APWA urges that wherever practical, the outside covering of buried cable, pipe, duct, or conduit be colored or color marked in accordance with the ULCC Uniform Color Code. The APWA further urges that line owners and manufacturers of underground utility lines, cables, pipes, ducts, and conduits be encouraged to incorporate permanent markings in their products in accordance with the ULCC Uniform Color Code. Finally, the APWA urges that United States and Canadian governmental agencies adopt this ULCC permanent color marking in their laws, codes of practice and regulations.

Contents

AMERICAN PUBLIC WORKS ASSOCIATION
1401 K Street, NW 11th Floor, Washington, DC 20005 Tel: (202) 408-9541 Fax: (202) 408-9542

APWA Policy Statement

MULTIPLE USE OF RIGHTS-OF-WAY

Approved by the Government Affairs Committee September 11, 2000
Adopted by APWA Board of Directors on September 15, 2000

The acquiring of rights-of way for public or private uses can be disruptive to individuals and the communities they live in. Ways to lessen the impact of these acquisitions and subsequent construction is considered in the APWA special report, *Accommodation of Utility Plants within the Rights of-Way of Urban Streets and Highways*. The APWA encourages the multiple use of rights-of-way in all cases where these multiple uses are deemed to be compatible. It urges that no user so exercise its right as to prohibit the later co-use by a compatible entity.

Providers in the Public Rights-of-Way: A Primer for the FCC Staff Leadership
March 21, 2002
2 - 4pm
7th floor, South Conference Room, (7-B516)

2:00 Overview – Local Governments Goals for the Program

Honorable Marilyn Praisner
County Councilwoman
Montgomery County, MD
Vice Chair
LSGAC

2:05 Local Governments' Property Interests

This panel will outline the real property nature of local government's rights in the public rights-of-way (PROW), including the value of the property interest; the types of direct, indirect and inchoate burdens that various forms of use place on those property interests. The panel will also address the police power regulations that the various levels of government impose on telecomm providers burdening the rights of way.

Nick Miller, Esq.
Miller & Van Eaton
Washington, D.C.

Merita Hopkins, Esq.
Corporation Counsel
City of Boston
LSGAC Member

2:20 Accommodating Multiple PROW Users at Least-cost to Taxpayers:

Leonard Krumm, P.E. will provide a virtual tour of the occupants that a city must accommodate in its management of the public rights-of-way; geophysical and historical differences between jurisdictions. He will further provide an organization of PROW: the 3 dimensional picture; the limited capacity of both underground and aerial PROW; different requirements of different PROW occupants.

He will also address the impact costs: the direct and indirect cost consequences of different telecomm construction techniques and permanent fixtures on PROW capacity, on PROW accessibility by other users, on depreciable life cycle of PROW capital investments, on third party PROW users and neighbors.

Leonard Krumm, P.E
Senior Consultant

Rationale

Forty-eight states currently have some type of damage prevention statute. Three states do not have damage prevention or one call statutes. One state legislature, Texas, is currently considering a one-call bill. Alaska and Hawaii are not considering one-call legislation. While one-call statutes differ from state to state, all of the statutes have common basic elements, such as participants in the one call system, who should dig, how many days before excavation one must call, minimum requirements of a one-call system, marking requirements, APWA color code standards, penalties and enforcement. Many statutes are variations of these common themes.

Many facility owners as well as excavators believe that while the state statutes should be tailored to fit the needs of that particular state, there should be some commonalty of the elements of the statutes and a requirement of strict enforcement of the statutes.

Many of the states have made sincere efforts to strengthen their one-call laws. However, Congress has never taken a position regarding damage prevention of underground facilities. The passage of federal one-call legislation would give support to those who are attempting to pass one-call legislation in states such as Texas and to those who are trying to strengthen their existing one call statutes with amendments.

Passage of one-call legislation will provide an incentive to the states to support their local one-call systems through DOT grants. The bill will also encourage the states to fully support the efforts of the one-call systems and their members to strengthen existing laws and to educate the public in the use of one-call systems. Many one-call systems and their members have publicized public safety, protection of the environment and protection of underground facilities for many years. Many states are partnering with their local one-call system in supporting damage prevention. Passage of the Comprehensive One-Call Notification Act of 1997 will bring the federal government on board in the effort to protect the public, the environment and underground facilities through the one-call systems.

CNA Consulting Engineers
Former Public Works Official in Minneapolis
APWA Leader

2:50 Managing the Pre authorization, Permitting and Construction Process

Mr. Cunningham will share with the FCC his experiences in managing the life cycle of PROW management in the nation's fifth largest city. The program will introduce the professional at the FCC to the:

- PROW planning process—accommodating changing patterns of community growth, economic development, changing utility technologies, and planning for the problems;
- The process of granting an entity a property interest to use PROW; and
- Specific project permitting—new construction of large projects, construction of retrofit projects, and maintenance projects.

John Cunningham,
Right-of-Way Manager
City of Philadelphia
APWA Leader

3:20 Practical Information Requirements and Practical Solutions the PROW Manager Needs

- Information on the operator the City requires before granting the right to use PROW
- Information on the project the City requires for each individual construction project permitted
- Differences between companies that require different information
- Security, Insurance, bonds
- Construction and Personnel qualification specifications
- Project by project permitting vs "blanket" permits
- Remedies for non-compliance
- Lane Closures and traffic control
- Utility location and damage prevention.
- Remedies for damage

John Cunningham
Right-of-Way Manager
City of Philadelphia
APWA Leader

Leonard Krumm, P.E
Senior Consultant
CNA Consulting Engineers
Former Public Works Official in Minneapolis
APWA Leader

last week of the 103rd Congress. It was stalled in the Senate due to the addition of an unrelated rider and the inability of the leadership to remove it.

In the 104th Congress, Senators Bradley and Lautenberg introduced one-call legislation. This bill was similar to the bill in the previous Congress but had added provisions to accommodate the railroads. The bill languished in committee during this congressional session. During the 104th Congress, the Pipeline Safety Act of 1996 (reauthorization bill) was introduced and passed the House. In the Senate, Senators Bradley and Lautenberg were reluctant to support the bill without the inclusion of one-call provisions. An agreement was reached with Senator Lott (majority leader) that a one-call bill would be introduced in the 105th Congress if they would support the Pipeline Safety Act as is. This was agreed to.

One call legislation is being drafted by a coalition of AOPL, INGAA and AGA. The draft is non-prescriptive and provides for the following:

- Adoption and certification of State one-call notification laws along with alternatives to the Model Law.
- Development of a Model State One-Call Notification Law.
- Sponsorship of periodic workshops.
- Suggestions for penalties and enforcement, such as, general penalties, increased penalties, decreased penalties and equitable relief and mandamus actions.
- Study of existing programs and development of best practices.
- Form an Underground Facility Damage Prevention Council.
- Development of a public education program.
- Provision for funding and grants.

The efforts to develop the Model One-Call Notification Law, carry out the studies, finance organizational and administrative functions and develop public education programs will be funded through general revenues.

Currently OCSI is working with AOPL, INGAA, AGA, APWA and OCSI members to get a consensus on federal one call legislation.

3:40 Roundtable on Industry's Complaints & Questions and Answers

- Mayor Ken Fellman -- LSGAC Chair (Arvada, CO)
- Councilwoman Marilyn Praisner -- LSGAC Vice Chair (Montgomery County, MD)
- Councilman Steve Stovall -- LSGAC Member (Plano, Texas)
- Merita Hopkins
- Julie Fleischer, City of Plano Texas
- John Cunningham
- Leonard Krumm
- Elizabeth Beaty, Executive Director, National Association of Telecommunications Officers and Advisors
- Nicholas Miller, Miller & Van Eaton

4:00 Adjourn

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5. There should be implemented by the United States Department of Transportation (DOT) in conjunction with one-call systems, underground facility owners, excavators and the appropriate state agencies, a comprehensive model program which recognizes the local needs and differences and:

(a) iterate the methods used by states to encourage participation by excavators and owners of underground facilities.
(b) iterate the methods by which one-call systems promote awareness of their programs.
(c) iterate the methods by which one-call systems receive and distribute information from excavators and underground facility owners.
(d) define the use of any performance timeliness and service standards to determine the effectiveness of a one-call's program.
(e) determine the effectiveness and accuracy of current one-call mapping systems.
(f) determine how one-call systems address the need for rapid response to emergency situations.
(g) determine to what extent damage is due to mismarkings after the one-call system has been notified.
(h) determine which state one-call law enforcement activities appear to be the most effective in reducing the frequency of or preventing damage to underground facilities.

6. The Comprehensive One-Call Notification Act of 1997 shall:

(a) provide a comprehensive study of one-call statutes, regulations and practices.
(b) provide a Model State One-Call Notification Law
(c) provide incentives to the states and local one-call systems to develop an efficient and cost effective one-call program.
(d) provide the impetus for a better partnership among the stakeholders in the one-call programs.

Background

In 1994, as a result of the Edison, New Jersey pipeline rupture and fire, Representative Pallone of New Jersey introduced a comprehensive one-call bill. The bill was originally worded as a mandate to the states to enact one-call legislation and to enforce participation in one-call systems. Because this was view as an unfunded mandate, the bill was amended to read that "the States shall consider....". The bill suggested several prescriptive measures such as who must join a one-call, who must call, how a one-call should operate, requirements for the facility owner and for the excavator, and penalties. This bill passed the House of Representatives in the

PRESENTATION

AMERICAN PUBLIC WORKS ASSOCIATION
1401 K Street, NW 11th Floor, Washington, DC 20005 Tel: (202) 408-9541 Fax: (202) 408-9542

COMPREHENSIVE ONE-CALL NOTIFICATION ACT OF 1997

Approved by the Government Affairs Committee September 11, 2000
Adopted by the APWA Board September 15, 2000

Position

The American Public Works Association supports damage prevention to underground facilities and the partnership of diverse interests to educate the public and the digging community about damage prevention. Much work has been done by such interests as the Department of Transportation (Office of Pipe Line Safety), American Petroleum Institute (API), Interstate Natural Gas Association of America (INGAA), American Gas Association (AGA), Association of Oil Pipe Lines (AOPL), National Telecommunications Damage Prevention Council (NTDPC), and One Call Systems International (OCSI), a special interest group of APWA.

The membership of the American Public Works Association constitutes the body of individual practitioners and professionals charged with the task of managing public rights-of-way. (The membership of OCSI is made up of representatives from one-call systems, underground facility owners, one call vendors and suppliers and underground facility locators. These interests are charged with the task of making one-call systems work in every state.) APWA supports federal Comprehensive One-Call Notification legislation which adheres to the following principles:

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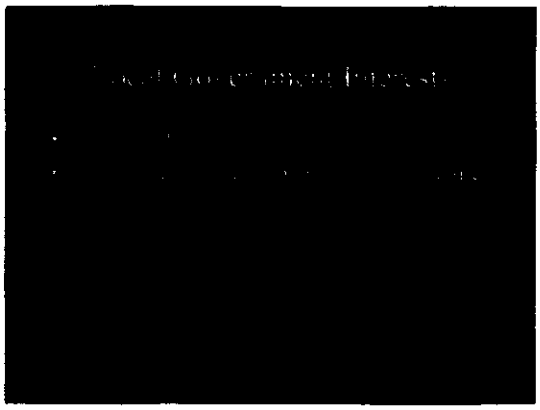
1. One-call programs should be designed and directed on a state-by- state basis, consistent with general guidelines and best practices developed by all the stakeholders.

2. The local one-call systems should be allowed the discretion to structure their systems, consistent with state laws and regulations to provide protection of the public, the environment and underground facilities.

3. Where appropriate, the states and local one-call systems should be provided incentives to consider using the best practices developed as a result of the United States Department of Transportation's study.

4. The Comprehensive One-Call Notification Act of 1997 should be directed toward the long-term goal of achieving damage prevention through the implementation of efficient and cost effective one-call systems, public education programs and the partnership of all stakeholders.

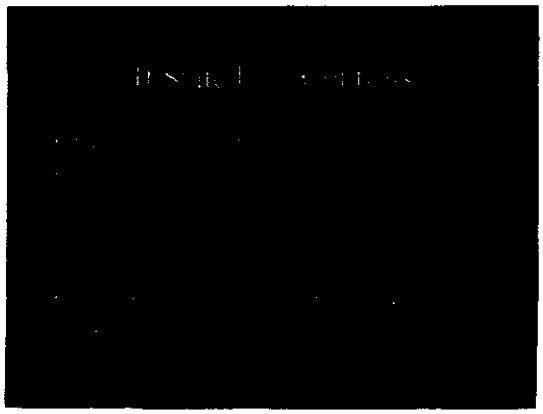
Legal and Regulatory Issues in PROW Management



and convenience. They also must provide for the operation and protection of public facilities.

Population as well as business growth is continuing to occur at rates often faster than can be accommodated by infrastructure capacity creating congestion in a limited resource, the public rights-of-way. This congestion is occurring, either temporarily by work crews or long term by the placement of above or below ground utilities. The budgets of public agencies are often directly impacted by the installation, repair and maintenance of facilities which cause traffic obstruction, underground congestion and pavement degradation. Pavement cuts for the placement of new facilities or access to existing structures have become a persistent problem.

[1] Utility --- privately, publicly or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, cable television, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water, or any other similar commodity, including any fire or police signal system or street light system, which directly or indirectly serves the public.



- Manage the space below the surface to ensure safe and economical access to the Public Agencies' water, storm drain and sanitary sewer systems.

- Manage the space below the surface to ensure safe and economical access for all current and future users of the rights of way.

- Manage the space above the surface by managing the placement of overhead facilities to minimize safety hazards, to minimize the impact on community aesthetics and to promote development.

Each utility provider installs a separate system in its own unique location within the right-of-way. The systems are installed on existing pole lines, in narrow trenches, or conduits bored (augured) into place, which result in the street surface being repaired with "ribbon" like patches or smaller rectangular patches. Repeatedly cutting and repairing streets adversely impacts the life of a street. The adverse impact is particularly severe where there are multiple parallel or intersecting pavement cuts which reduce the structurally integrity of the paved surface and the stability of its subgrade.

Multiple street openings or obstructions also have a detrimental economic consequence for residents and businesses that face frequent disruption. Construction, repair, and maintenance of utilities in the public rights-of-way entail extrinsic costs to the public in addition to right-of-way management costs such as the administrative demands, traffic control, and inspections. These extrinsic costs are typically not captured on the books of the municipalities in a readily identifiable fashion.

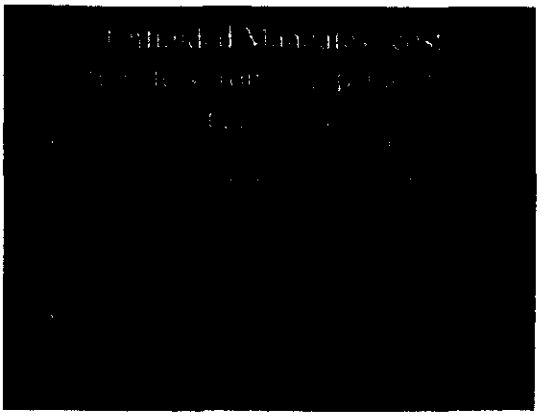
One of the cost categories that has been analyzed in some depth is the so-called disruption costs. The disruption cost is the economic penalty imposed as the result of the adverse impact on the citizens of a city and others who are required to alter travel routes and times resulting from right-of-way obstructions. These costs can be easily identified with a quantitative value given to them.

Other economic costs that are not identifiable in a public agency budget are the loss of business to merchants, air pollution, noise pollution, dust, lack of access to homes and offices, changing bus routes due to loss of access to streets, alleys and sidewalks and the general frustration of the public. These costs are real and substantial.

Background

In 1996 Congress passed the Telecommunications Act of 1996 which gave broad latitude to communications providers to install and market communications systems in communities across the country. The emphasis of the Act was on providing the greatest opportunities for communications providers to develop and expand. The Federal Communications Commission has been promulgating regulations under the Act. At the same time the courts continue to rule on cases between communications providers who want faster and cheaper access to their customer base and local governments who are obliged to use taxpayer dollars to provide public services, including the maintenance of roads and management of the public rights-of-way.

The right to obtain and use land for public benefit has been a long-standing tradition and is provided for by law. The concept of using a portion of the street right-of-way for providing both public and privately owned utilities has been a recognized action in the public interest for more than a century. The dynamic nature and constantly changing demands of society have continually increased the need for the movement of people and goods as well as access to utility services. Public corridors or strips of land known as public rights-of-way are normally acquired and developed by public agencies for transportation routes, water supply, waste disposal, power distribution, means of communications and similar services for the common good of the public with all uses generally being authorized and directed by public agencies. These agencies have the statutory obligation to regulate and manage the use of public rights-of-way in the interest of public safety



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1401 K Street, NW 11th Floor, Washington, DC 20005 Tel: (202) 408-9541 Fax: (202) 408-9542

APWA Position Statement

PUBLIC RIGHTS-OF-WAY MANAGEMENT

Approved by the Utility and Public Right Of Way Committee on August 3, 1999
Approved by the Government Affairs Committee on September 21, 1999
Adopted by the APWA Board of Directors on September 22, 1999

Position

With the surge in new communications providers, deregulation of electric and gas industries, the need to upgrade aging water, sewer and drainage facilities coupled with enhanced environmental requirements, it is vital that public agencies retain authority to execute their statutory obligations and duties related to the public rights-of-way. In this fiduciary capacity, the responsible public agency must have the authority to regulate and manage public rights-of-way to ensure its efficient use through the development and implementation of effective policies, practices and regulations.

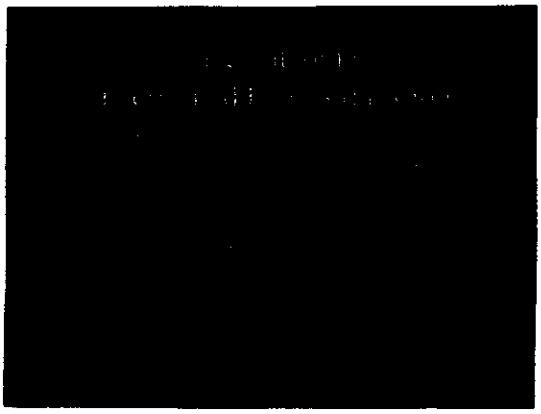
It is the position of the American Public Works Association that regulations developed by the Federal Communications Commission as well as legislation at the state and federal level, should uphold the authority of public agencies to manage the public rights-of-way and to receive fair and reasonable compensation for it's use. This includes the ability to:

- Establish permit, location, inspection, and pavement restoration controls
- Encourage cooperation among and develop scheduling and coordination mechanisms for all right-of-way users
- Obtain and maintain accurate information for locating existing and new facilities in the public rights-of-way
- Hold responsible parties accountable for the restoration of the public rights-of-way
- Charge and receive compensation for the use of the public rights-of-way

Issue and Rationale

The number of communications providers working in the public rights-of-way (PROW) has increased dramatically causing significant demands to be placed on all users of the PROW and on the publicly funded infrastructure as well. Public Agencies strive to keep public rights-of-way in a state of good repair and free of unnecessary encumbrances. Right-of-way obstruction contributes to lost business and is a cause of frustration for everyone that must avoid utility[1] construction projects or change travel or shopping plans because of them. Many elected officials have chosen to be good stewards of the public rights-of-way by adopting reasonable ordinances that allow them to:

- Manage the PROW on behalf of their citizens regarding public health, safety, and convenience.
- Manage the surface of the PROW to ensure the structural integrity, availability, safety and a smooth street surface for the traveling public.



APWA

that private profit-making use of public property does not interfere with or inconvenience the public's use of rights-of-way.

6) ...the right of local jurisdictions to govern land use and regulate zoning for all telecommunications service providers without unnecessary state or federal interventions. The Telecommunications Act of 1996 has reaffirmed the rights of local governments to manage the public right-of-way and manage the use of land within their jurisdictions. Zoning regulation for all telecommunication service providers must be undertaken locally without unnecessary intervention from the federal government or the state

7) ...the realization in the local market of the benefits of Universal Service, assuring the provision of essential telecommunications service to all community sectors at affordable rates. Local governments must work with the state and federal governments to assure that universal service is provided for all citizens to assure that libraries, schools, rural health care facilities, local governments and other public institutions receive the benefits of cost-savings and new advanced services, and that high-cost areas receive service at affordable rates. In addition, local governments must work to assure the most advanced services are made available with the highest possible quality as the technology develops.

8) ...fair and reasonable compensation from all telecommunications providers for the use of public property and rights-of-way. Local governments are entitled to receive just and reasonable compensation from all telecommunications providers that make use of local public rights-of-way and other public property for private gain.

9) ...the preservation of local taxing authority over communications providers. Telecommunications providers should be subject to local taxation authority to the full extent that other businesses are subject to such authority, and the federal government should not intrude upon or limit such authority.

Policy/Advocacy Top | Pasadena Petition - NATOA Reply Comments | Pasadena Petition CSR 5441-R | Auburn v. Quest - Revised Opinion | FCC Order on Pasadena | AuburnvQwestAmicus | Policy Process | Comments with FCC | Legal Calendar |

Home | Back to Top

Accommodating [illegible] PROW Users [illegible] Tax Payers

Local governments are responsible for the public infrastructure

- [illegible]
- [illegible]
- [illegible]
- [illegible]
- [illegible]
- [illegible]
- [illegible]
- [illegible]

Who else is interested in PROW management?

- [illegible]
- [illegible]
- [illegible]
- [illegible]

Current Policy

NATOA Policy Platform

NATOA's Policy Statements for Communication and the Public Interest:

NATOA Supports:

1) ...the development of effective local information infrastructures, including public, educational and governmental access channels, and institutional networks. Each local community best understands its information and communications needs, and therefore it is vital that local governments have the ability to require that voice, video and date communications networks serving their communities provide both sufficient channel spectrum and resources to meet those needs, assure the public's safety and convenience, and provide important and critical local information services and community programming. As all communications are local in origination, all telecommunications policies should empower local governments with the ability to develop, coordinate and/or operate information infrastructures and services. Such policies must assure sufficient technological and financial support to provide the tools and the delivery mechanisms of both traditional and emerging communications applications, including wired and wireless telephony, video, data and internet services, and public, educational, and governmental access services.

2) ...the effective use of wired and wireless information technologies to provide the benefits of advanced telecommunication services. Local governments must work to promote open, connective, and universal technical standards for all telecommunication equipment, services, and system architectures. Additional standards and policies are needed to assure reliable identification of electronic transactions, document authentication system interoperability and inter connection.

3) ...the orderly transition to an effectively competitive telecommunications marketplace. Local governments recognize that genuine and effective competition can yield better service offerings, affordable rate structures and technology deployment that meets the needs of their communities. Local governments also recognize, however, that truly effective competition will not arise in all communities, or in all telecommunications markets at the same time. Federal, state, and local governments must therefore work in a coordinated and cooperative manner to ensure that consumers are protected from possible market power abuses. Effective competition, which NATOA supports, must evolve to ensure strong economic development initiatives that enable communities to participate in a global economy through a local information infrastructure that benefits industry and community members alike.

4) ...the establishment of local consumer service protections and consumer education efforts. Local governments need to take an active role in establishing and enforcing standards that protect consumer interests, provide information clearinghouses and consumer education programs that ensure the availability, from all telecommunications service providers, of complete information, prior to purchase, about rates, services, privacy, billing methods, and complaint resolution, and ensure the distribution of information about all consumer rights and responsibilities.

5) ...efficient management by local governments of local public rights-of-way. Tradition, the law, and the need for orderly use of scarce public resources each support the principle of state and local governments as trustees of the public's rights-of-way. Rights-of-way represent real estate property rights of substantial economic value paid for by all taxpayers. The public has a right to assure that its property, held and managed by the government as a public trust, is used efficiently and safely, and

PUBLIC RIGHT-OF-WAY MANAGEMENT POLICY

September 22, 1999

Manage the public rights of way on behalf of our citizens for their health, safety and traveling convenience

People expect free and easy access to the PROW

NATOA